

Hon. Marsha J. Pechman

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, ) NO. CR 15-294 MJP  
 )  
 v. ) ORDER  
 ) TO CONTINUE TRIAL DATE AND  
 DALJINDER UPPAL, ) TO EXTEND DATE FOR  
 ) FILING PRETRIAL MOTIONS  
 Defendant. )  
 )

An unopposed motion to continue the trial date and to extend the date for filing pretrial motions has been filed by defendant Daljinder Uppal, by his attorney Ralph Hurvitz, requesting that the date for trial be continued to January 4, 2016, and the date for filing pretrial motions in this case be extended to November 12, 2015.

The Court, having reviewed the motion and the record in this case, hereby finds as follows:

The defendant is charged with one count of conspiracy to bring aliens into the United States. Counsel was appointed on October 13, 2015 to substitute for previous counsel. Counsel will need additional time to review the discovery, to prepare pretrial motions if applicable, and to prepare for trial.

1       The extension of time is necessary to provide adequate and  
2 effective representation. Proceeding with the current trial and  
3 motions dates would result in a miscarriage of justice.

4       The government has no objection to the continuance of the  
5 trial date and the extension of the date for filing pretrial  
6 motions.

7       The defendant will file a written waiver of his or her right  
8 to speedy trial through January 25, 2016.

9       ACCORDINGLY, IT IS HEREBY ORDERED:

10       The new motions deadline shall be: November 12, 2015.

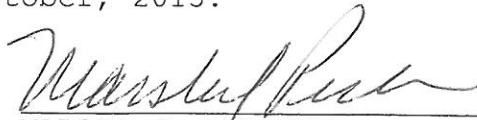
11       The new trial date shall be: January 4, 2016.

12       IN ADDITION, THE COURT SPECIFICALLY FINDS that period of  
13 delay resulting from this continuance, from the date of this  
14 order up to and through the new trial date, shall be excluded  
15 from computation under 18 U.S.C. §§ 3161(h) (7) (A),  
16 3161(h) (7) (B) (I), and 3161(h) (7) (B) (iv), because the ends of  
17 justice served by granting this continuance outweigh the best  
18 interest in the public and the defendant in a speedy trial,  
19 because the failure to grant the requested continuance would be  
20 likely to result in a miscarriage of justice, and because the  
21 failure to grant the requested continuance would deny the  
22 defendant reasonable time to necessary for effective preparation,  
23 taking into account the exercise of due diligence.

24       ///

25       ORDER-2

1 Dated this 26<sup>th</sup> day of October, 2015.

2 

3 MARSHA J. PECHMAN

4 Chief United States District Judge